

EXHIBIT Y

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

-----X MDL NO. 1456
IN RE: PHARMACEUTICAL INDUSTRY : CIVIL ACTION:
AVERAGE WHOLESALE PRICE LITIGATION : 01-CV-12257-PBS

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THIS DOCUMENT RELATES TO: :
U.S. ex rel. Ven-A-Care of the : CIVIL ACTION:
Florida Keys, Inc. v. Abbott : 06-CV-11337-PBS
Laboratories, Inc. :

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IN THE CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA

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STATE OF ALABAMA, : CASE NO.
Plaintiff, : CV-05-219
v. :
ABBOTT LABORATORIES, INC., : JUDGE
et al., : CHARLES PRICE
Defendants. :

1 is and what isn't an un -- so I don't know the
2 distinction. We've certainly never made that
3 distinction.

4 Q. Right.

5 A. I know that there have been lawsuits
6 filed against drug companies as qui tam.

7 Q. Okay.

8 A. Or qui tam.

9 Q. Did you have at any time any
10 understanding about an obligation to keep the
11 existence of such a lawsuit secret?

12 A. Not that I recall.

13 Q. Do you recall any conversations with any
14 individuals at Ven-A-Care relating to lawsuits they
15 may have filed?

16 A. No.

17 Q. Do you recall any conversations with
18 individuals from Ven-A-Care?

19 A. Yes.

20 Q. All right. Who at Ven-A-Care have you
21 spoken with?

22 A. There was a person named Mark, and there

1 were other people, but I don't remember their
2 names.

3 Q. All right. What do you recall about
4 your conversations with Mark?

5 A. We'd had meetings, one meeting that I --
6 or two that I can recall. And also, I would
7 receive information from them about drug pricing.

8 Q. When did the meetings take place with
9 Mark and others?

10 A. I don't know the year.

11 Q. Roughly?

12 A. Maybe five year -- more than five years
13 ago, five years ago. I don't know.

14 Q. Do you have any record of those
15 meetings?

16 A. I don't.

17 Q. Do you know if anybody took notes at
18 those meetings?

19 A. I -- there may have been notes taken at
20 those meetings, yes.

21 Q. All right. Do you recall who attended
22 that meeting or --

1 think, of Ven-A-Care.

2 Q. Anybody on OIG other than you?

3 A. Rob would be -- would have been on.

4 Q. Do you recall how many phone
5 conversations there were?

6 A. No.

7 Q. Do you recall what the purpose of the
8 phone conversations were?

9 A. I believe the purpose was to see what
10 information they had access to in terms of drug
11 pricing.

12 Q. Did they have access to drug pricing
13 information?

14 A. Yes.

15 Q. What kind of information did you get
16 from Ven-A-Care?

17 A. For certain drugs that we were
18 reviewing, Ven-A-Care could provide us with
19 information on what people could purchase them for
20 from either group purchasing organizations or at --
21 from wholesalers.

22 Q. Do you know where Ven-A-Care got that

1 information?

2 A. I believe they were a functioning
3 pharmacy and supplier, so they received that
4 information as a purchaser.

5 Q. Where did you get your understanding
6 that Ven-A-Care was a functioning pharmacy and
7 supplier?

8 A. I guess from when I was first introduced
9 to what they were, who they were.

10 Q. Do you recall that introduction?

11 A. No.

12 Q. Did you ever obtain any information to
13 indicate that Ven-A-Care was not a functioning
14 pharmacy and supplier?

15 A. No, I don't believe so.

16 Q. Any other conversations with Ven-A-Care
17 that you can recall?

18 A. Not specifically.

19 Q. Any other communications with
20 Ven-A-Care; e-mail, letter, fax?

21 A. Faxes.

22 Q. Tell me about the faxes.